

**MINUTES OF THE  
HOUSE ETHICS COMMITTEE**

Monday, July 7, 2008 – 9:00 a.m. – Room C450 State Capitol

**Members Present:**

Rep. Todd E. Kiser, House Chair  
Rep. LaWanna Lou Shurtliff, Cochair  
Rep. Douglas C. Aagard  
Rep. Stephen D. Clark  
Rep. David Litvack  
Rep. Karen W. Morgan  
Rep. Carol Spackman Moss

**Staff Present:**

Mr. Michael E. Christensen, Director  
Mr. John L. Fellows, General Counsel  
Mr. Eric N. Weeks, Deputy General Counsel  
Ms. Joy L. Miller, Legislative Secretary

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Committee Business**

Chair Kiser called meeting to order at 9:05 a.m.

**2. Ethics Complaint Against Rep. Mark Walker**

Chair Kiser indicated that the Committee was meeting as a result of an ethics complaint filed against Rep. Mark Walker by Rep. Roz McGee, Rep. Steven Mascaro, Rep. Phil Riesen, Rep. Sheryl Allen, and Rep. Neil Hansen. He stated the Legislature's Joint Rules have established the procedure and process that the Committee must follow. The Committee is to determine if it has jurisdiction over the complaint which has been filed. Chair Kiser indicated that on Sunday, July 6, 2008, Rep. Walker submitted a letter of resignation to the Speaker effective immediately. The chair then asked John Fellows, General Counsel, to explain how this impacts the Committee and its work.

Mr. Fellows distributed to the Committee a copy of Rep. Walker's letter of resignation. Mr. Fellows noted that because Rep. Walker is no longer a member of the Legislature, it is his opinion that the Committee lacks jurisdiction over the complaint.

Mr. Fellows responded to questions from the members regarding confidentiality and the possibility of pursuing the complaint because there may be other members of the Legislature involved. Mr. Fellows explained that the scope of the committee's authority to investigate is limited to investigating allegations alleged in the complaint filed against Rep. Walker. The Committee does not have the power to investigate generally; it must have a specific allegation against a specific legislator. He noted that the county attorneys assigned to investigate the complaint by the Utah Attorney General, if they chose to, could look into that issue. Mr. Fellows also pointed out that the committee members must still comply with the rules requirement to keep all aspects and elements of the issue confidential.

Chair Kiser asked that members of the Committee respect their duty of confidentiality.

**MOTION:** Rep. Shurtliff moved to dismiss the complaint against Rep. Mark Walker due to the fact that he is no longer a member of the House of Representatives and the Committee no longer has jurisdiction. The motion passed unanimously on a roll call vote.

Minutes of the House Ethics Committee  
July 7, 2008  
Page 2

Chair Kiser expressed his appreciation to the Committee and staff for their work and for the high degree of ethics portrayed in the process. He also expressed his appreciation to Rep. Walker and his wife for Rep. Walker's service in the Legislature.

**MOTION:** Rep. Clark moved to adjourn. The motion passed unanimously.

Chair Kiser adjourned the meeting at 9:15 a.m.